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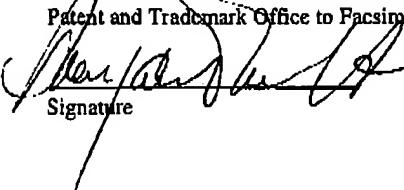
NO. 269

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CERTIFICATE OF TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the attention of Examiner J. Roark, Group Art Unit 1644, U.S. Patent and Trademark Office to Facsimile No. 703-746-5174 on January 11, 2002.


Signature

Margaret M. Hasson
Name

Docket No.: PF-0187-2 DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bandman et al.

Title: NOVEL SUBUNITS OF NADH DEHYDROGENASE

Serial No.: 09/726,899 Filing Date: November 29, 2000

Examiner: Roark, J. Group Art Unit: 1644

Commissioner for Patents
Washington, D.C. 20231

DECLARATION OF TIMELY SUBMISSION AND RESUBMISSION OF DOCUMENTS

Dear Sirs:

This paper is being submitted to certify timely submission as specified in 37 CFR §1.8 and resubmit documents for prosecution of the above-identified U.S. patent application.

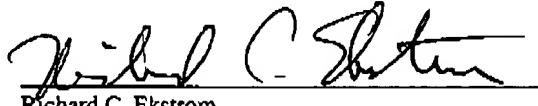
I, Richard C. Ekstrom, Attorney of Record in the above-identified patent application, hereby certify that on November 7, 2001 the following correspondence deposited with the United States Postal Service, as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231, and certified as such as specified in 37 CFR §1.8, as evidenced on the certificates of first-class mailing at the beginning of each document, of which a copy is being submitted herewith:

1. Response to Office Action Transmittal Fee Sheet (1 pg., in duplicate);
2. Response to Office Action (18 pp.);
3. Petition for Extension of Time (1 pg., in duplicate); and
4. Return Receipt Postcard.

This is a copy of correspondence that was mailed to the United States Patent and Trademark Office on November 7, 2001. This correspondence has not been received as of January 11, 2002. Please enter this correspondence as being timely filed.

Respectfully submitted,

INCYTE GENOMICS, INC.


Richard C. Ekstrom
Reg. No. 37,027

Date: 11 January 2002
3160 Porter Drive
Palo Alto, California 94304
Phone: (650) 855-0555
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*Duplicate accepted
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NO. 2691 P. 3

Commissioner for Patents
Washington, D.C. 20231

Mailed: 11/07/01
Docket No.: PF-0187-2 DIV

Applicants: Bandman et al.
Serial No.: 09/726,899
Filing Date: November 29, 2000
Title: NOVEL SUBUNITS OF NADH DEHYDROGENASE

Enclosed are the following:

1. Return Postcard;
2. Transmittal Fee Sheet (1 pg., in duplicate);
3. Petition for Extension of Time (1 pg., in duplicate); and
4. Response to Office Action (18 pp., in duplicate).

RCE:SKS:efd



Incyte Genomics, Inc.
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Palo Alto, CA 94304

1/11/02 SW



FAX

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DATE: January 11, 2002
TO: Examiner J. Roark
COMPANY: United States Patent and Trademark Office
FAX NO.: 703-746-5174
TELEPHONE NO.: 703-605-1209
FROM: Richard C. Ekstrom
Reg. No. 37,027
Direct Dial No. 650-843-7352
OUR REF. NO.: PF-0187-2 DIV
YOUR REF. NO.: 09/726,899
PAGES : Twenty-five (25)

Please see the attached resubmission of documents which were originally mailed on November 7, 2001.

This facsimile is intended for the addressee only and may contain confidential information. If you have received this facsimile in error, please call us at 650.855.0555 immediately to arrange for its return.

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Ticket No. 2691 P. 4

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By: Emma F. Durrell

Printed: Emma F. Durrell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Bandman et al.Title: NOVEL SUBUNITS OF NADH DEHYDROGENASESerial No.: 09/726,899Filing Date: November 29, 2000Examiner: Roark, J.Group Art Unit: 1644Commissioner for Patents
Washington, D.C. 20231RESPONSE TO OFFICE ACTION TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Transmittal Fee Sheet (1 pg., in duplicate);
2. Response to Office Action (18 pp., in duplicate);
3. Petition for Extension of Time (1 pg., in duplicate)

The fee has been calculated as shown below.

| Claims | Claims After Amendment | - | Claims Previously Paid For | = | Present Extra | Other Than Small Entity Rate | Additional Fee(s) |
|---|------------------------------|---|----------------------------------|---|------------------|------------------------------------|----------------------|
| Total Claims | 14 | - | 20 | = | 0 | \$18 | \$0 |
| Indep. Claims | 1 | - | 3 | = | 0 | \$84 | \$0 |
| <u>First Presentation of Multiple Dependent Claim</u> | | | | | | | <u>+\$280</u> |
| <u>TOTAL</u> | | | | | | | <u>\$ 0</u> |

 No additional fee is required. Fee for Request for Extension of Time (3 months) \$ 920.00 Please charge Deposit Account No. 09-0108 the amount of \$

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 7 November 2001Shirley A. Recipon

Shirley A. Recipon

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